

FILED IN OPEN COURT

DATE: 11/22/05

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE

TIME: 9:38 am

INITIALS: SC

JAMES BAILEY, KEVIN BROGDON,
MARTY ELLIS, AUTUMN GARRETT,
PHILLIP GLENN, TERRY JANDA,
MICHAEL KISSELL, GREG MILLS, ERIC
NEWMAN, CHAD NICHOLS, DANNY
PARKER, JAMES TETTLETON and GENE
YOUNG, *individually and on behalf of all
persons similarly situated,*

Plaintiffs,

v.

CIVIL ACTION NO. 04-2728 B/P

LAUDERDALE COUNTY AMBULANCE
AUTHORITY and LAUDERDALE COUNTY
GOVERNMENT,

Defendants.

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 11-22-05

**AGREED ORDER PRELIMINARILY APPROVING SETTLEMENT
OF CLASS CLAIMS, SENDING OF NOTICE AND ATTORNEY'S FEES**

Before the Court is the parties' Joint Motion to Approve Settlement of Claims of the Fair Labor Standards Act ("FLSA") case. Based upon the representations of the parties and the entire record in this case, the Court finds as follows:

1. Plaintiffs and the Defendants in this case have reached an agreement that will allow for a modification of Defendants' pay system for the affected employees of the Defendant Ambulance Authority. This pay system is outlined in the Motion and Memorandum submitted previously by the parties and is incorporated herein by reference. The parties have also reached agreement to pay Plaintiffs \$50,000.00 for

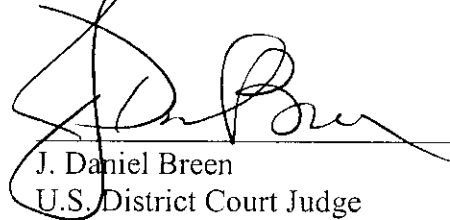
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lost wages and to pay Plaintiffs' counsel's reasonable attorney's fees and expenses in the amount of \$60,000.00.


2. The Court finds that the terms of the Settlement Agreement reached between the Plaintiffs and the Defendants in this case finds that it provides a fair, just and reasonable resolution of the disputed claims which have arisen in this lawsuit. The terms of the Settlement Agreement are incorporated in this Order by reference as if fully set forth herein.
5. Counsel for the Plaintiffs has submitted a claim for the payment of \$60,000.00 in attorney's fees, inclusive of all costs and expenses incurred in conjunction with their prosecution of this FLSA claim. The Defendants do not object to this fee and agree that it is fair and reasonable in light of the complexity of the case, as well as the time and effort expended by counsel for the class. The Court finds that this fee will not in any way jeopardize the other portions of the Settlement Agreement and approves the fee as being reasonable, fair and just.
6. The Court is satisfied that no further hearings on this matter are required and further judicial action is not necessary. Therefore, this Order shall automatically become a final order approving this resolution and the parties are directed to file an appropriate Notice of Dismissal.


IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED that the terms of the Settlement Agreement and all related documents as outlined herein are hereby approved by the Court as being fair, just and reasonable.

Entered this the 22nd day of November, 2005.


J. Daniel Breen
U.S. District Court Judge

Agreed to:


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Notice of Distribution

This notice confirms a copy of the document docketed as number 26 in case 2:04-CV-02728 was distributed by fax, mail, or direct printing on November 22, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT